IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 10782 of 2007
Date of decision: 20.7.2007

Nachattar Singh and another ...Petitioners

Versus

Director, Consolidation of Holdings, Haryana, Chandigarh and others ...Respondents.

CORAM:- HON'BLE MR. JUSTICE K.S.GAREWAL
HON'BLE MR. JUSTICE S. N. AGGARWAL

Present: Mr. RS Chauhan, Advocate,
for the petitioners.

K.S.GAREWAL, J.

This petition relates to the proceedings before the Director, Consolidation of Holdings, Haryana, under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act 1948 filed by the petitioners. The petitioners had claimed that the land adjoining to their land was a road which had been constructed on 2 kanals 18 marlas and this led to a deficiency in their holding.

The Director, Consolidation, Haryana, held that at the time of consolidation road was carved out straight and petitioners' kill 70//24 measuring 7 kanals 18 marlas was carved out with dimension 36, east 36, west, 40 south and 29 north. This khasra number was partitioned and

divided into 24/1 and 24/2. At the time of consolidation no area of road was included in the petitioner's field. The petitioners could not produce any evidence with regard to deficiency. As per field book and jamabandi the area was correctly recorded.

We find that the Director, Consolidation had correctly dealt with the matter and there is no jurisdictional error or legal infirmity in the impugned order dated January 9, 2007 Annexure P/7.

We find no merit in this petition. Dismissed in limine.

(K.S. GAREWAL)
JUDGE

20.7.2007 **(S.N. AGGARWAL)**
prem **JUDGE**